

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Treasuries and Accounts Department – Departmental proceedings against Sri P.Mohan Rao, AAO, O/o the Director of Tribal Welfare, Andhra Pradesh, Hyderabad – Imposition of a penalty of “CENSURE” by the Director of Treasuries and Accounts – Appeal – Orders – Issued

FINANCE (ADMN.I.VIG.) DEPARTMENT

G.O.Rt.No.3204

Dated: 29-07-2008.

Read the following:-

1. DTA Procds.No.K(II)8/5151/2007, dated 11-2-2008.
2. Appeal petition of Sri P.Mohan Rao, AAO O/o the Director of Tribal Welfare, A.P., Hyderabad.
3. Govt.Memo.No.15712/195/A2/Admn.I/2008, dated 28-5-2008.
4. DTA Letter No.K.II (8)/5151/2007, dated: 21-06-2008

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ORDER:

In the reference 1st read above, Sri P.Mohan Rao, AAO, O/o the Director of Tribal Welfare, Andhra Pradesh, Hyderabad was imposed a penalty of “**Censure**” by the Director of Treasuries and Accounts vide Procds. No. K (II) 8/5151/2007, dated 11-02-2008 for his failure in discharging his duties properly and paved the way for the repatriation of Smt.C.Lathanjali, Senior Accountant from the O/o the Director of Tribal Welfare, on 31-03-2007 AN and also for bringing influence to bear upon the Director of Treasuries and Accounts to further his interests in respect of matters pertaining to his service under the Government.

2. In the reference 2nd read above, Sri P.Mohan Rao, AAO, O/o the Director of Tribal Welfare, Andhra Pradesh, Hyderabad has filed an appeal before the appellate authority i.e. Government requesting for revocation of the punishment imposed by the disciplinary authority i.e. the Director of Treasuries and Accounts against him.

3. In the reference 3rd read above, the Director of Treasuries and Accounts was requested to furnish his report in the matter. In the reference 4th read above, the Director of Treasuries and Accounts has furnished the relevant material of the case.

4. The DTA framed the following Articles of Charges against Sri P.Mohan Rao, AAO O/o the Director of Tribal Welfare, Andhra Pradesh, Hyderabad.

Article of Charge-I:

That Sri P.Mohan Rao while working as the regular Assistant Accounts Officer and Accounts Officer (FAC), O/o the Director of Tribal Welfare, AP, Hyderabad has failed in discharging his duties properly and paved the way for the repatriation of Smt.C.Lathanjali, Senior Accountant from the O/o the Director of Tribal welfare, Hyderabad on 31-03-2007 AN. He has failed in proper control of his subordinate staff working under his direct control and not initiated disciplinary action against Smt.C.Lathanjalai, Senior Accountant for her irregular attendance. He has also failed to inform the facts to the Director of Treasuries and Accounts, being his Head of the Department. There by not only he failed to show devotion towards duty but also exhibited conduct unbecoming of a Government Servant which attracts Rule of A.P. Civil Service (Conduct) Rules 1964 and also violated the Government orders issued in G.O.Rt.No.1416, Finance & Planning (FW.Admn.I) Deptt, Dated: 07-09-1997.

Article of Charge-II:

That Sri P.Mohan Rao while working as the regular Assistant Accounts Officer and Accounts Officer (FAC), O/o the Director of Tribal Welfare, AP, Hyderabad has brought outside influence to bear upon his superior authority to further his interests in respect of

matters pertaining to his service under the Government. The DTA, AP, Hyderabad vide Memo No.C3/5151/2007-1 dt:12-04-2007 has called for the explanation of Sri P. Mohan Rao, the then AO (FAC) for his lapses in the repatriation of Smt.C.Lathanjali, SA, where he has brought the same to the notice of the Commissioner of Tribal Welfare (FAC) vide his letter No.DTW/peshi/2007, dt:28-05-2007 has requested to drop further action against him. Thereby he has exhibited conduct unbecoming of a Government Servant duly violating Rule 24 of A.P. Civil Service (Conduct) Rules, 1964.

5. The appellant, in his defence statement, regarding Charge-I, has stated that he was appointed in Full Additional Charge to the post of Accounts Officer, O/o Director of Tribal Welfare, Hyderabad on **15-02-2007** and in the month of 02/2007 and March, 2007 he was fully busy as Drawing and Disbursing Officer. The irregular attendance of Smt.Lathanjali, Sr. Accountant was watched by the Director of Tribal Welfare, Hyderabad and this resulted in her surrender. He could not initiate disciplinary action against Smt. Lathanjali, Sr. Accountant, as he was doing Full Additional Charge to the post of Accounts Officer, only for 1 1/2 months before her repatriation. The Director of Tribal Welfare, Hyderabad has issued orders repatriating Smt.Lathanjali, Sr. Accountant.

6. The appellant, in his defence statement, regarding **Charge-II**, has stated that he had informally mentioned about the charge sheet issued to him by the DTA to the Joint Director O/o the Director of Tribal Welfare, Hyderabad and the Joint Director has called for a copy of the Charge Sheet and the Administrative Department has taken up the initiative to address the DTA about the actual position.

7. Whereas, after detailed examination of the defence submitted by Sri P.Mohan Rao, Assistant Accounts Officer, the DTA found that the irregular attendance of Smt.C.Lathanjali, Senior Accountant, has resulted in her repatriation to Director of Treasuries and Accounts, Hyderabad by the Director of Tribal welfare, AP, Hyderabad vide his letter dt:30-03-2007. This was not beyond the control of the Accounts Officer (FAC), being the Head of the Accounts Branch. If proper action could have been initiated by the Accounts Officer (FAC) who is the Head of the Accounts Branch, O/o the Director of Tribal welfare, AP, Hyderabad working under the Administrative control of the DTA as per G.O.Rt.No.1416, Finance & Planning (FW.Admn.I) Dept., dt:07-09-1997, duly initiating disciplinary action against Smt. C.Lathanjali, Senior Accountant, for her irregular attendance. The matter could have been averted. The Accounts Officer (FAC) has issued relieving orders vide his proceedings No.P3/03511/07, dated:31-03-2007 which shows that he had not bothered about the matter nor brought the facts to the notice of the Director of Treasuries and Accounts. **Regarding charge-II**, the DTA has informed that when he called the explanation of Sri P.Mohan Rao, AAO on the lapses in repatriation of Smt.C.Lathanjali, Senior Accountant, the Charged Officer should submit his explanation to him stating the factual position. But, the Charge Officer informally mentioned about this to the Joint Director O/o the Director of Tribal Welfare and the Commissioner of Tribal Welfare (FAC) vide his letter dt:28-05-2007 has requested him to drop further action against Sri P.Mohan Rao stating that the Director Tribal Welfare has repatriated the said Sr. Accountant and the AO(FAC) is not involved in the issue. Therefore he construed that the Charged Officer has brought outside influence to bear upon his superior authority to further his interests in respect of matters pertaining to his service. As such, he has awarded a minor punishment of **“CENSURE” on Sri P.Mohan Rao, AAO, O/o the Director of Tribal Welfare, Hyderabad.**

8. Government after careful consideration of the material made available observed that the appellant's contention is that in the total episode there was no fault of him. He has acted as per the orders of the Director of Tribal Welfare. The incident relating to the irregular attendance and constant misconduct on the part of the individual Smt. C.Lathanjali, Senior Accountant was under constant watch by the Director of Tribal Welfare right from April, 2006 and this culminated in the surrender of the individual to the Directorate of Treasuries and Accounts. He acted as head of the Accounts Branch for a period of just one and half months before the date of her surrender. He could not initiate disciplinary action against her during the said short period, since he was busy in

monitoring the various budgetary releases, reappropriations, Budget authorizations, sanctions and drawal of various bills. The repatriation order of Smt.C.Lathanjali was issued by the Director of Tribal welfare. When he had informally informed the position to the Joint Director, O/o the Director of Tribal Welfare, they have written to the DTA that the repatriation was ordered by the Director himself. He had not brought any influence either written or oral on the Director of Tribal Welfare to intervene and take action to stop disciplinary proceedings.

9. Therefore, Government after careful consideration of the explanation of the appellant hereby allow the appeal of Sri P.Mohan Rao, Asst. Accounts Officer O/o Director of Tribal Welfare and set aside the punishment awarded by the Director of Treasuries and Account as the explanation of the appellant is convincing and there is no fault attributable him.

10. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**VASUDHA MISHRA
SECRETARY TO GOVERNMENT (FP)**

To
The Individual through the Director of Treasuries and Accounts, A.P, Hyderabad.
The Director of Treasuries and Accounts, Hyderabad.
SF/SC

:: FORWARDED BY ORDER ::

SECTION OFFICER